

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HARINDER JEET SINGH

23 CV 9846

Write the full name of each plaintiff.

(Include case number if one has been assigned)

-against-

Do you want a jury trial?

The Trustees of Columbia university
in the City of New York.

☒ Yes ☐ No

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

EMPLOYMENT DISCRIMINATION COMPLAINT

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. PARTIES**A. Plaintiff Information**

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

HARINDER JEET SINGH
 First Name Middle Initial Last Name

P. O. BOX- 721025
 Street Address

JACKSON HEIGHTS NEW YORK 11372
 County, City State Zip Code

347-247-1015 SINGHHARINDER 469@GMAIL.COM
 Telephone Number Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1: The Trustees of Columbia University in the city of
 Name New York.
Low Memorial Library, 535 W, 116th Street
 Address where defendant may be served
New York, New York New York 10027
 County, City State Zip Code

Defendant 2: _____
 Name

 Address where defendant may be served

 County, City State Zip Code

Defendant 3:

Name

Address where defendant may be served

County, City

State

Zip Code

II. PLACE OF EMPLOYMENTThe address at which I was employed or sought employment by the defendant(s) is:Name Columbia University Human ResourcesAddress Studebaker Building, 615 W 131st Street, 4th floor,County, City New York, New YorkState New YorkZip Code 10027**III. CAUSE OF ACTION****A. Federal Claims**

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☒ **Title VII of the Civil Rights Act of 1964**, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

☒ race:Race☐ color:☐ religion:☐ sex:☒ national origin:National Origin

- ☒ 42 U.S.C. § 1981, for intentional employment discrimination on the basis of race

My race is: Asian (Indian origin)

- ☐ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: _____

- ☐ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: _____

- ☐ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: _____

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

B. Other Claims

In addition to my federal claims listed above, I assert claims under:

- ☐ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- ☐ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- ☐ Other (may include other relevant federal, state, city, or county law):

IV. STATEMENT OF CLAIM

A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☒ did not hire me
- ☐ terminated my employment
- ☐ did not promote me
- ☐ did not accommodate my disability
- ☐ provided me with terms and conditions of employment different from those of similar employees
- ☒ retaliated against me
- ☐ harassed me or created a hostile work environment
- ☐ other (specify): _____

B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

Pages 1-9 attached herewith.

As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

- (1) Charge of Discrimination (EEOC) attached herewith.*
- (2) Notice of Right to Sue (EEOC) attached herewith.*

V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

☒ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge?

02-24-2023

☐ No

Have you received a Notice of Right to Sue from the EEOC?

☒ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice?

08-14-2023

When did you receive the Notice?

08-14-2023 (via Email)

☐ No

VI. RELIEF

The relief I want the court to order is (check only those that apply):

☒ direct the defendant to hire me

☐ direct the defendant to re-employ me

☐ direct the defendant to promote me

☐ direct the defendant to reasonably accommodate my religion

☐ direct the defendant to reasonably accommodate my disability

☐ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here):

(A) Compensatory Damages (B) Emotional Distress/Pain-
+ Suffering Damages (C) Punitive Damages
(D) Counsel fees (If I able to retain one)
(E) Costs (F) Any and all other relief the
Court deems just and proper.

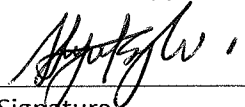
VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

11-6-2023
 Dated


 Plaintiff's Signature

HARINDER JEET SINGH
 First Name Middle Initial Last Name

P.O. BOX - 721025
 Street Address

JACKSON HEIGHTS NEW YORK 11372
 County, City State Zip Code

347-247-1015 SIAGHHARINDER469@GMAIL.COM
 Telephone Number Email Address (if available)

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

Plaintiff, Harinder Jeet Singh, by way of complaint against the Defendant, says:

FACTS RELEVANT TO ALL CAUSES OF ACTION

1. Harinder Jeet Singh (Hereinafter 'Singh') was trying to get a Job with The Trustees of Columbia University in the City of New York (Hereinafter 'Columbia) for various open positions as Fire Safety Officer, and or Officer Fire Life Safety. Singh applied on March 17th, 2022, and again on March 26th, 2022, and Singh was notified via email from Columbia on March 23rd, 2022, and April 13th, 2022, that he is not selected without any reasons given for the same. Singh has extensive experience in this field for about 26 years and has an FDNY issued F- 89 License as Fire and Life Safety Director and an A+ scorer in this field. Columbia did not even give a chance to Singh for an interview and Columbia was unfair, unequal in their hiring process and selected individuals out of Singh's protected class and their actions were Discriminatory based on Singh's race and national origin. In the application, Columbia asks about applicant's race, disability, and Gender, and goes by preferences and favoritism in their hiring process and Singh was singled out for this very reason. Columbia's adverse action was intentional and unlawful.
2. Singh applied again for an open position on May 11th, 2022, and Columbia notified as not selected on October 3rd, 2022, without giving chance for an

interview. Singh was qualified in any manner and his experience in this field was matchless and was not selected again because of Columbia's unfair and unequal hiring process.

3. Singh wrote an email to the President of Columbia dated March 27th, 2022, about the open position and May 18th, 2022, also copying to Vice President and HR Director for their wrongful selection process and reported them Discriminatory and unfair Labor Practices and made them aware that Singh would be forced to file the charges with the EEOC if the stated behavior is not corrected. Singh made it clear that he is a great fit for the position and has all the credentials required for the position. Singh also let them know that when he was employed with the Summit Security Services Inc., he worked in Columbia's various buildings and his excellent work was appreciated by then Fire Safety Manager Dan Condon and Director of Fire Safety John Leper Che who asked Singh to join Columbia and that time Singh was employed by Summit on a permanent schedule in other building and could not avail that opportunity. Summit Security was a third-party vendor for Columbia at the said time.
4. After the above said emails and in or around June 1st, 2022, the Columbia's Manager, Fire/Life Safety Joseph Pasquarello called Singh and asked for a final interview when Singh applied again for an open position on May 11th,

2022, and sent an email on June 1st, 2022, and set up an interview for June 6th, 2022, at 11:00 AM. At the specified time Singh reported for the interview and was received by Joseph and the interview took place one-on-one and no one else was present there. Joseph was pleased by Singh's credentials and expertise in the said field and selected Singh for the position. Joseph said you will be doing afternoon shift and there is a possibility you might get morning shift also. Joseph said he is looking for a professional person like Singh. Joseph said HR would conduct a Background Check and you must get a call from him within two weeks as this is the hiring process of Columbia. Joseph said he makes his recommendations to Columbia HR DEPT., who are the final decision maker in the process.

5. Two weeks passed by, and Joseph did not contact Singh as promised. Singh made several calls in June 2022 and Joseph kept on saying he will get back to Singh. Finally in an email dated July 7th, 2022, Joseph notified that Singh is not selected without giving any reasons. Singh wrote an email to Joseph dated July 7th, 2022, about the wrongful hiring procedures of Columbia. Singh made Joseph aware that during interview Joseph said that there is another position open which Singh did not apply as he was selected by Joseph and was in the hiring process and Joseph intentionally filled that position and did not consider Singh for the same. Singh wrote to Joseph that

his actions were unfair, unequal, and discriminatory and that now have changed completely. Singh wrote Joseph that he should forward the Singh's email to Columbia's President, Vice President of HR, and HR Director as they have now changed their emails addresses to safeguard themselves of their unfair labor practices and discriminatory actions. This interview was set up in a way to select Singh and later sending him not selected email to shock him severely in retaliation for his complaint to Columbia's Executives.

6. Singh further applied for two other open positions on October 4th, 2022, and Columbia notified via email dated October 31st, 2022, and December 16th, 2022, that Singh is not selected without explaining any reasons and without giving a chance for interview.
7. Singh further applied for an open position on October 21st, 2022, which is stalled to this present time without any outcome. On the other side there are several other open positions which Columbia filling up without considering Singh and continued to date treating Singh differently to similarly situated applicants. Defendant while replying to EEOC only gave vague explanations about two open positions and remained silent/failed to explain about other open positions as Columbia got no explanation to add in their defense.

8. Columbia was asking to fill Ethnicity/ Race, Gender. And Disability questions in the application process and goes by preferences and favoritism that to whom they want to pick or not.

COUNT ONE

Title VII- Discrimination- Failure to Hire

9. Plaintiff Singh repeats and re- alleges the allegations contained in paragraph 1-8 as if fully set forth at length herein.
10. Plaintiff, an Asian- Indian individual, is a member of a protected class as defined by Title VII of the Civil Rights Act.
11. Plaintiff applied for and was qualified for the positions of Fire Safety Officer and or Officer Fire Life Safety.
12. Plaintiff was more qualified for the position than each of the other applicants for the position.
13. Despite Plaintiffs' qualifications, and the promises from the Defendant after selecting Plaintiff that he is in the hiring process, Defendant failed and/or refused to hire Plaintiff.
14. Plaintiff's race and/or national origin was a determinative factor in Defendant's decision not to hire Plaintiff Singh.
15. Defendant's non- discriminatory reason, to the extent one is asserted, is pre-textual and cannot withstand scrutiny.

COUNT TWO

Title VII- Retaliation- Failure to Hire

16. Plaintiff's Singh repeats and re- alleges the allegations contained in paragraphs 1-15 as if fully set forth at length herein.
17. Plaintiff, an Asian- Indian individual, is a member of a protected class as defined by Title VII of the Civil Rights Act.
18. Plaintiff engaged in protected activity, to complain to Columbia's Executives of their discriminatory hiring procedures.
19. Thereafter, Plaintiff Singh applied for and was qualified for the position of Fire Safety Officer and or Officer Fire Life Safety.
20. Plaintiff was more qualified for the position than each of the other applicants for the position.
21. The sole distinction between Plaintiff Singh and the other applicants was the fact that Plaintiff engaged in protected activity by filing a complaint with the Columbia's Executives for the discriminatory hiring procedures.
22. Despite Plaintiff Singh's qualifications, and the Defendants promises that he is selected and in the hiring process, Defendant failed and/or refused to hire Plaintiff.
23. Defendant refused to hire Plaintiff based upon plaintiff's complaint to Columbia's Executives of their discriminatory hiring process.

24. Defendant's non-discriminatory reason, to the extent one is asserted, is pre-textual and cannot withstand scrutiny.
25. Plaintiff Singh alleges that discovery will provide an opportunity to properly identify those individuals who were selected for the positions sufficiently.
26. When Summit Security Services Inc., was a third-party vendor for Columbia, Singh worked in Columbia's various buildings on many occasions and observed that Columbia fills the said positions with majority of whites and if they do not get white applicant and next move to fill a position or two with Hispanics and or further African Americans. Plaintiff Singh never saw any Indian or Asian hired for these positions in this field. Columbia weighs in Ethnicity of the applicants and goes by preferences and favoritism in the hiring process. Pre-employment request for information about Ethnicity forms the basis for hiring decisions which are wrongful and discriminatory.
27. Columbia's proffered reasons for the hiring decision was a pretext for discrimination. Discriminatory reasons were more likely motivated the Columbia and that Columbia's proffered explanation was unworthy of belief and credence.


28. Singh applied for various open positions and was very qualified for the same and was rejected under circumstances giving rise to an inference of unlawful and intentional discrimination.
29. Columbia's actions were of invidious discrimination and ill will towards Plaintiff Singh and ignoring his skills and knowledge in the said field.
30. For various positions Columbia did not give Singh an opportunity for the interview to display his expertise in the said field for open positions which is act of discriminatory intent.
31. Abruptly changed behavior at the outset of an in-person interview, and such behavioral shifts could indicate Bias and Discrimination.
32. Once in a lifetime opportunity to work directly with Columbia with better pay and benefits were snatched away from Singh who wanted to progress in life.
33. The Defendant is continuing to commit the above stated acts against Plaintiff Singh in failing to hire him and stalled his last application to- date and continuing hiring other individuals.

WHEREFORE, Plaintiff Singh requests the court enter judgment against the Defendant.

JURY DEMAND

Plaintiff Singh demands a trial by jury in this action for all issues triable by a jury.

Plaintiff Singh certifies that the matter in controversy is not the subject of any other action pending or contemplated.

 11-6-23
Harinder Jeet Singh.

(Plaintiff, Pro-Se).

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> EEOC 520-2023-00210 </div> <div style="display: flex; justify-content: space-between;"> FEPA </div>	
New York State Division Of Human Rights and EEOC <i>State or local Agency, if any</i>			
I Name (indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.) Mr. Harinder J. Singh		Home Phone 347-247-1015	
Year of Birth 			
Street Address P.O.Box- 721025 Jackson Heights, New York 11372 JACKSON HEIGHTS, NY 11372			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Columbia University		No. Employees, Members 501+ Employees	
Phone No. 			
Street Address 615 West 131st Street NYC, NY 10027			
Name 		No. Employees, Members 	
Phone No. 			
Street Address 		City, State and ZIP Code 	
DISCRIMINATION BASED ON 		DATE(S) DISCRIMINATION TOOK PLACE <div style="display: flex; justify-content: space-between;"> Earliest Latest </div> <div style="display: flex; justify-content: space-between;"> 03/07/2022 10/21/2022 </div>	
National Origin, Race, Retaliation			
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I made several applications for a job as a Fire Safety Officer with the above-named entity. I applied for hire on March 17, 2022; March 26, 2022; and May 11, 2022. I emailed a complaint on May 18, 2022, of possible racial (Asian) and national origin (Indian American) discrimination to Dan Driscoll, VP; Aless, HR Dir.; and Lee Bollinger, President. I was interviewed on June 6, 2022, by Joseph Pasquarello, Mgr. Fire/Life Safety who seemed pleased with my application and interview. However, I was not hired. Currently my latest employment application dated October 21, 2022, has stalled. I believe in retaliation for my complaint of race and national original bias, I was not selected for hire, in violation of Title VII of the Civil Rights Act of 1964, as amended.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Mr. Harinder J. Singh 02/24/2023 <div style="text-align: right;"><i>Charging Party Signature</i></div>		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

EEOC Form 161-B (01/2022)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: **Mr. Harinder J. Singh**
P.O. Box- 721025 Jackson Heights, New York 11372
JACKSON HEIGHTS, NY 11372

From: **New York District Office**
33 Whitehall St, 5th Floor
New York, NY 10004

EEOC Charge No.
520-2023-00210

EEOC Representative
D. YOUNG,
Investigator

Telephone No.
(929) 506 - 5309

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice;** or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Less than 180 days have elapsed since the filing date. I certify that the Commission's processing of this charge will not be completed within 180 days from the filing date.

The EEOC is terminating its processing of this charge.

Equal Pay Act (EPA): *You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.***

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Digitally Signed By: Timothy Riera
08/14/2023

Enclosures(s)

Timothy Riera
Acting District Director

cc: **Michael A Frankel**
Jackson Lewis P.C.
44 S BROADWAY FL 14
White Plains, NY 10601